

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

: NOTICE OF MOTION IN LIMINE

- against -

: Case No. S1 11CR. 424(NRB) :

HAROLD TISCHLER

Defendant:

-x

PLEASE TAKE NOTICE that upon the annexed declaration of PAUL GREENFIELD, ESQ., and the Memorandum of Law, dated, December 13, 2012 both submitted herewith, and all prior submissions and proceedings, the defendant HAROLD TISCHLER, by and through his undersigned attorney will move this Court, before the Honorable Naomi Reice Buchwald, United States District Judge, at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, at a time to be set by the Court, for an order:

Precluding the introduction into evidence by the Government, both on its direct case and in the event the defendant testifies, on cross examination, of evidence and or testimony related to the following:

- 1.) Defendant's 1986 misdemeanor conviction for conspiracy to violate 8USC1325.
 - 2.) Alleged cash transactions related to Citi-Bank accounts for Fix Anything, Inc. and/or Vintage Builders, Inc. concerning Congregation Me'er Mosher, which the Government has described to Counsel as "suspicious".
 - 3.) Defendant's alleged employment by and/or income from Green Line Developers, LLC, as represented on his application to modify his home mortgage.
 - 4.) Defendant's representations on credit card applications as to his annual income.

5.) Alleged Civil Judgments against Defendant related to non-payment of credit card balances.

6.) Any alleged Federal Tax Lien filed against the Defendant.

7.) The subject matter of, or allegations set forth in a Civil Lawsuit between the Defendant, his sister; mother, and brother, now pending in Supreme Court, Kings County, entitled Esther Tischler by Jerry Tischler, temporary guardian, v. Jeanette Tischler; Harold Tischler, at al, index No. 10318/2011.

And further for an order granting such other and further relief that to the Court seems just and proper.

Dated: New York, New York
December 12, 2012,

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Clerk,
United States District Court
Via ECF

Janis Echenberg,
Assistant United States Attorney
Via Electronic Mail, and U.S. Express Mail